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REMARKS

Claims 1-53 were originally presented in the subject application. Claims 1, 20, 37 and 46 have hereinabove been amended, and claim 54 added, to more particularly point out and distinctly claim the subject invention. No claims have herein been canceled. Therefore, claims 1-54 remain in this case.

The addition of new matter has been scrupulously avoided. In that regard, support for the common amendment to claims 1, 20 and 37 can be found in the specification at, for example, page 5, lines 22-23. Claim 46 has been amended to correct a typographical error. New claim 54 is a means-plus-function version of amended claim 1.

The Summary and Abstract of the present application have been amended consistent with the common amendment to the independent claims.

Applicant respectfully requests reconsideration and withdrawal of the grounds of rejection.

35 U.S.C. §102 Rejection

The Office Action rejected claims 1, 2, 5, 6, 7, 14, 15, 16, 17, 18, 20, 21, 24, 25, 37, 38, 41, 42 and 49-53 under 35 U.S.C. §102(e), as allegedly anticipated by Ellenby et al. (U.S. Patent No. 6,307,556). Applicant respectfully, but most strenuously, traverses this rejection as it relates to the amended claims.

The major disagreement between the Examiner and Applicant to this point has been the different interpretations given to the term "digital elevation model." While Applicant continues to disagree with the Examiner on this point, in an effort to advance prosecution, Applicant has amended the independent claims to recite that the claimed digital elevation model comprises data for creating a three-dimensional perspective model of the scene in two dimensions. Applicant does not view this as a further limiting amendment, since Applicant contends this merely represents the meaning that one of ordinary skill in the art would ascribe to the phrase in question. In any case, as amended, Applicant submits the independent claims now clearly differentiate from Ellenby et al. in this regard. Ellenby et al. merely presents elevation data for

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one point superimposed on a scene, which is not a digital elevation model (now as expressly claimed).

All of the independent claims also recite, in some fashion, registering the digital image of the scene with the digital elevation model of the scene. Since Ellenby et al. fails to disclose a digital elevation model as claimed, Applicant submits Ellenby et al. cannot disclose, teach or suggest registering the same with anything, let alone a digital image of the scene.

As yet another example, all of the independent claims recite, in some fashion, providing the registered digital image over a communications network. The final Office Action essentially alleges that Ellenby et al. must suggest image exchange over a communications network; otherwise, image composition using elements from multiple vision systems could not take place. However, Applicant respectfully points out that image data could easily be transported manually via removable storage media, for example. A communications network is not required, nor is one disclosed in Ellenby et al. that is used for image exchange. The final Office Action unduly reads this aspect into Ellenby et al.

Ellenby et al. actually discloses sending information about the scene (versus the scene itself) from one vision system to another. This is an important distinction that cannot be ignored. For example, Ellenby et al. discloses sending information about a duck in one view so that textual information about the duck siting can be added to the view of the other system. Nowhere does Ellenby et al. disclose, teach or suggest sending an image from one vision system to another, only information about the scene for overlaying on the scene in another vision system. Moreover, on an even more basic level, since Ellenby et al. fails to disclose, teach or suggest registering a digital image with the claimed digital elevation model, Applicant submits it cannot disclose, teach or suggest doing anything with the registered digital image resulting therefrom, let alone specifically sending it over a communications network.

Similarly, since Ellenby et al. does not disclose, teach or suggest registering a digital image with the claimed digital elevation model, Applicant submits Ellenby et al. also cannot disclose, teach or suggest augmenting the registered digital image in any way, let alone the augmenting that is specifically claimed.

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Since Ellenby et al. fails to disclose, teach or suggest multiple limitations of the independent claims, Applicant submits none of the independent claims can be anticipated by or made obvious thereover.

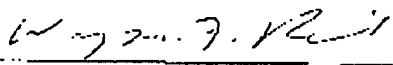
CONCLUSION

Applicants submit that the dependent claims are allowable for the same reasons as the independent claims from which they directly or ultimately depend, as well as for their additional limitations.

For all the above reasons, Applicants maintain that the claims of the subject application define patentable subject matter and earnestly requests allowance of claims 1-54.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,



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